

**REMARKS**

Reconsideration and allowance of this application are respectfully requested in view of the above amendments and the discussion below.

Applicant's invention is addressed to a device for treating a fuel/coolant mixture in a fuel cell system. Applicants gratefully acknowledge the allowance of claims 1-12 and the indication of allowable subject matter in claims 14 and 17.

Claims 1 and 14 were objected to because of the informalities listed at page 2 of the Office Action. In response to this objection, applicants have amended claims 1 and 14. The amendment to independent claim 13 is provided to more clearly distinguish over the art of record used in the rejection of claims 13, 15, and 16 under 35 U.S.C. §103 as unpatentable over Lamm et al., (DE 198 078 78 in view of Grot et al., (U.S. Patent No. 5,919,583 for the reasons indicated at pages 2-4 of the Patent Office Action.

According to the statement of the rejection the reference to Lamb has an arrangement with a tank 38 having a line 40 for feeding the fuel/coolant mixture into a mixture-conveying device 42. Furthermore, according to the Examiner's statement of the rejection there is a combined anion and cation exchanger 74 which is "connected in said line" because the anion exchanger is considered as connected in the line through connection 44, through supply line 18, through circulation line 50, through gas separator 52, and through liquid separator 58 which ultimately directs the collected water to the anion exchanger.

Applicants respectfully traverse this rejection on the grounds that independent claim 13 defines a line for feeding the fuel into the at least one mixture/conveying device (22, 7) and that a combined anion and cation exchanger is connected in said line. In order to more clearly establish the relationship, claim 13 had been amended to indicate that the exchanger is connected in said line "between said tank and said at least one mixture-conveying device". This is shown in each of the figures 1-4 wherein the exchanger 23 is connected between the tank 21 and the at least one mixture/conveying device 22, 7.

Therefore, there is no possibility that the reference to Lamm has such a showing because of the positioning of the exchanger in Lamm and because the line is defined in the claim as feeding the conveying device whereas the exchanger in Lamm is remote from the exchanger and is indirectly connected only to an output. However, as indicated above, in order to further define over the reference, the positioning of the exchanger is now claimed.

In addition to the Examiner's indication of distinctions between independent claim 13 and independent claim 1 with respect to the "circuit system" it is also submitted that claim 1 defines the line as feeding fuel into the circuit system whereas claim 13 defines the line as feeding the fuel into the mixture/conveying device and, as amended, further includes that the combined exchanger is connected between the tank and a mixture/conveying device.

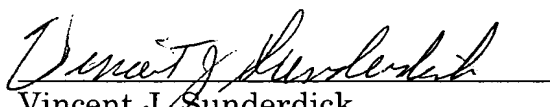
Therefore in view of the distinguishing features between the claimed invention and independent amended claim 13 which features are not shown or disclosed or made obvious by the references or their combination, even accepting the statement of the rejection for the showing of the secondary reference to Grot et al. '583, applicants respectfully request that this application containing claims 1-17 including previously allowed claims 1-12 be passed to issue.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.50240US).

Respectfully submitted,

March 10, 2004

  
Vincent J. Sunderdick  
Registration No. 29,004

CROWELL & MORING LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
Facsimile No.: (202) 628-8844

VJS:ast (304824)